



Attorney's Docket No.: 12071-014001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lee Mizzen *et al.*
Serial No. : 09/001,737
Filed : December 31, 1997
Title : STREPTOCOCCAL HEAT SHOCK PROTEINS OF THE HSP60 FAMILY

Art Unit : 1645
Examiner : S. Devi

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the action dated June 9, 2004, finally rejecting claims 2, 3, 5-7, 19-24, 31, 33, 35 and 38-45.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 1 month to, and including, October 12, 2004 (October 9, 2004, being a Saturday and Monday, October 11, 2004, being a holiday) is enclosed.

A check in the amount of \$340 for the appeal fee is enclosed.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10/15/2004 MAHMED1 00000014 09001737

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Signature

Typed or Printed Name of Person Signing Certificate

October 12, 2004

Carrie A. Amonte

Carrie A. Amonte

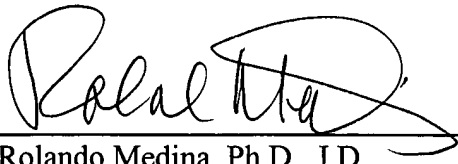
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Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 12 October 2004



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